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January 26, 2021

**Via ECF Filing**

The Honorable Ramon E. Reyes, Jr.  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**RE: *Kaikov v. Kaikov, et. al.*, Case No. 19-cv-2521- LDH-RER  
Joint Motion to Extend Discovery Deadlines**

Dear Judge Reyes:

I am counsel for Plaintiff in the above-referenced matter. I am writing on behalf of all parties to jointly respectfully request the Court to extend the deposition discovery deadline from January 29, 2021 to February 26, 2021 and well as extend expert discovery deadlines accordingly for the reasons set forth below.

This is a first request for extension of the depositions discovery deadline. There are no other set deadlines or scheduled conferences in this matter, so the extension will not affect any other scheduled dates.

On October 1, 2020, the Court issued a Minute Order allowing parties to proceed with the depositions and setting the applicable deadlines. To date the parties have engaged in depositions discovery. However, because there are a number of non-party witnesses as well as difficulty in scheduling of some depositions due to witness schedules, there are several depositions that remain outstanding.

First, deposition of Plaintiff is outstanding. The deposition was noticed for January 20, 2021, but Plaintiff was unavailable due to his work schedule. In addition, Plaintiff resides in Moscow and the deposition will need to take place over two days to account for 8-hour time difference. The parties agreed to schedule Plaintiff's deposition for mutually convenient dates of February 17 and 18, 2021 should the Court allow the extension.

Second, Plaintiff subpoenaed a non-party witness Ralph Fayziyev- who has relevant information related to the allegations of Defendants' conduct – to appear for a deposition on January 26, 2020. Counsel for Mr. Fayziyev requested to reschedule the deposition due to

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conflicts in counsel and witness's schedules for February 12, 2020. This date is also convenient for both Plaintiff and Defendants' counsel.

Third, there are outstanding motions related to production of documents from (a) TNR Renovations, Inc. – a contractor performed “renovations” on the Investment Properties (Docket No. 83) and (b) Defendants' Accountant (Objection to the Decision Denying Defendant's Motion to Quash the Subpoena, Docket No. 67). While plaintiff has subpoenaed both witnesses to also appear for a deposition, it would make sense to hold the depositions once there is a ruling on the document requests. Defendant also filed a motion to compel deposition of non-party witness Ariel Kaikov (Docket No. 80), which is still outstanding.

Finally, Plaintiff respectfully requests a 30-day extension of discovery deadline for expert report, which is currently due on February 26, 2021.<sup>1</sup> The expert who is expected to calculate Plaintiff's damages related to the Investment Properties will need to review documents from TNR Renovations as well as documents from the Defendants' accountant (e.g. profit and loss statements, tax returns) in order to prepare the report. Defendants do not object to this request.

Accordingly, the parties jointly request that the deposition discovery deadline be extended until February 26, 2021 and the expert discovery deadlines be extended as follows:

Plaintiff's expert report	March 31, 2021
Defendants' Counter	April 30, 2021
Expert Depositions	May 21, 2021.

We thank the Court for its time and effort in consideration of this matter.

Respectfully submitted,

/s/ Maria Temkin

Maria Temkin, Esq.

For: TEMKIN & ASSOCIATES, LLC

MT

Cc: All counsel of record (via ECF System)

